THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.3014 OF 2006

Between:

Kurella Manemma … petitioner.

And

The M.R.O., Sherilingampally Mandal,

Ranga Reddy District. … Respondent.

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION NO.3014 OF 2006

ORDER:

It is the case of the petitioner that she made a representation dated 11.4.2005 for grant of pattedar passbook and title deed in respect of land admeasuring Ac.4.14 guntas in Survey No.36/23 of Gopanpally village, Sherilingampally mandal of

Ranga Reddy district. But the said representation has not been considered and disposed of.

It is the case of the petitioner that her father-in-law namely K.Venkaiah was the assignee of the said land and after his death on 16.5.1979, the husband of the petitioner, who is son of late Venkaiah, became the legal heir and successor of the said land and that the husband of the petitioner also died on 28.11.2004 leaving behind the petitioner and four children. It is the case of the petitioner that due to ignorance, the husband of the petitioner could not take any steps to get his name mutated in revenue records and therefore, the representation has been filed on 11.4.2005 to mutate her name in the revenue records and to issue pattedar passbook.

The learned Government Pleader for respondents submit that an extent of Ac.5.00 cents was assigned in favour of B.Kishan Lal along with other persons and the Laoni Izafa was granted through Faisal patti during the year 1961-62 in favour of the assignees and thereafter one Mr.Jagannadha Reddy and others filed applications enclosing the sale deed copies to mutate their names in respect of the land in survey No.36/AA/23 of Gopanpally village and as the said Kishan Lal executed the sale deed contrary to the provisions of Sub Section (2) of Section 3 of the A.P.Assigned Lands (Prohibition of Transfer) Act, a notice under Section 3 of the said Act was issued on 24.3.2003 and after considering the reply, final orders have been passed resuming the said assigned land under Section 4(1) of the said Act vide proceedings dated 8.1.2004. It is stated that the assigned land was already resumed and taken possession on 3.2.2004 and was allotted to the Hyderabad Central University.

In view of the same, I am of the opinion that the petitioner is not entitled for any relief of consideration of her representation for mutating her name in the revenue records and for issuance of pattedar passbook, unless she questions the said order dated 8.1.2004 and establishes her legal right over the property. The writ petition is disposed of accordingly.

However, it is open for the petitioner to file an appeal against the order dated 8.1.2004 within a period of four weeks from today and on filing such appeal, without reference to any period of 90 days for filing appeal, the appeal shall be entertained and appropriate orders be passed, as she is not the party to the orders passed under Section 4(1) of the Act.

03.03.2006

mdaa.